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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/477,991	01/05/2000	BRYCE A. JONES	1264	1039
28004	7590	09/15/2005		
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			ART UNIT 2157	PAPER NUMBER

DATE MAILED: 09/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/477,991

Applicant(s)

JONES, BRYCE A.

Examiner

Barbara N. Burgess

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 146-165 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 146-165 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. <u>9-12-05</u> . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

This Office Action is in response to Amendments filed July 5, 2005. Claims 146-165 are presented for further examination.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 146-165 are rejected under 35 U.S.C. 102(e) as being anticipated by Goss et al. (hereinafter "Goss", 6,493,447 B1).

As per claims 146 and 156, Goss discloses a method and system of operating a communication system to route web calls to a web call center including a plurality of web call resources to handle the web calls, the method comprising:

- Receiving a web call for the web call center, wherein the web call originates from a user device (column 1, lines 15-18);

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- Processing a cookie for the user device to select one of the web call resources to handle the web call originating from the user device (column 6, lines 7-11, column 12, lines 54-59);
- Extending the web call originating from the user device to the web call resource that is selected based on the cookie (column 6, lines 40-51, 62-65, column 7, lines 1-10).

As per claims 147 and 157, Goss discloses method and system of claims 146 and 156, wherein the web call is comprises a Get document request in Hyper Text Transfer Protocol (column 5, lines 5-10, column 12, lines 31-35, 60-64).

As per claims 148 and 158, Goss discloses the method and system of claims 146 and 156, wherein the selecting is further based upon caller-entered information (column 6, lines 27-60).

As per claims 149 and 159, Goss discloses the method and system of claims 146 and 156, wherein selecting is further based upon an Internet Protocol address (column 6, lines 1-11, 45-50, 56-65, column 7, lines 19-25, 32-40).

As per claims 150 and 160, Goss discloses the method and system of claims 146 and 156, wherein selecting is further based upon a domain name (column 6, lines 1-11, 45-50, 56-65, column 7, lines 19-25, 32-40).

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As per claims 151 and 161, Goss discloses the method and system of claims 146 and 156, wherein selecting is further based upon one or more of a day or a time of day (column 7, lines 65-67, column 8, lines 1-3, 11-18, column 9, lines 30-40, column 13, lines 7-14).

As per claims 152 and 162, Goss discloses the method and system of claims 146 and 156, wherein selecting is further based on the least busy agent (column 5, lines 41-44, column 7, lines 1-3).

As per claims 153 and 163, Goss discloses the method and system of claims 146 and 156, wherein selecting is further based on the least congested route (column 5, lines 41-44, column 7, lines 1-3).

As per claims 154 and 164, Goss discloses the method and system of claims 146 and 156, wherein selecting is further based on the class of service (column 7, lines 65-67, column 8, lines 1-3, 11-18, column 9, lines 30-40, column 13, lines 7-14).

As per claims 155 and 165, Goss discloses the method and system of claims 146 and 156, further comprising selecting a web service application based upon the cookie (column 6, lines 7-11, column 12, lines 54-59).

Response to Arguments

The Office notes the following arguments:

- (a) Goss does not disclose processing a cookie to select one of the web call resources to handle a web call that originates from a user device to a web call center.
- (b) Goss does not disclose extending the web call originating from a user device to the web call center.

3. Applicant's arguments have been fully considered but are not persuasive.

In response to:

- (a) Goss explicitly discloses the Server maintaining a session with the customer's browser using cookies. This session includes the Web Server sending an HTML file that represents the site's homepage. Embedded in the file are applets that manage the call-back services and sessions with agents. Therefore, when the customer requests contact with an agent, the Server uses the **information from the cookies (information from the session between the customer's browser and the Server are stored in the cookies)** to direct the request to a qualified agent. Goss states "the Web Server maintains a session with the customer browser over the Internet using cookies or other session maintenance technology. This way, when the customer submits a call-back request, the Web Server can identify that customer for the purpose of matching the call-back request to a qualified agent." Goss, without a doubt, discloses processing a cookie for the user device to select one of the web call center resources to handle the

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web call originating from the user device, that resource being an agent (column 5, lines 65-67, column 6, lines 1-11, 27-33, 45-51, 61-65, column 7, lines 1-10, column 12, lines 31-37, 43-49, 55-59, column 13, lines 7-10, 31-36). Examples of the information stored in the cookie are the customer's user id, password, name, call-back telephone number, identifier, corporate business that the customer represent, etc. This **information stored in the cookie** is used to pass the request to the appropriate agent (column 6, lines 1-10, 19-40, 45-50).

(b) Goss discloses a customer requesting to speak to a call agent. Based on the information from the cookie that is used to maintain a session with the customer's browser, a qualified agent is selected to handle the request. If the qualified agent is not immediately available, the customer has the option of placing a call-back request. The request is then handled by the particular agent when the agent becomes available (column 2, lines 42-47, column 6, lines 56-65, column 7, lines 1-10). Therefore, the request is **extended** (given or offered to) to the appropriate and available agent.

Also, Applicant's specification discloses determining if the web call center resource is available to handle the web call. If no web call center resource is available to handle the web call, the web call is transferred to the web queue until it is determined that the web call center resource is available (page 7, lines 8-30, page 8, lines 1-10). Therefore, in both Goss and Applicant's disclosure, the customer may have to **wait** for an available and appropriate agent.

In Applicant's remarks, it states "...it is desirable that the customer can **immediately** connect to a call center resource without having to **wait** for a call-back" (page 6 of

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Response to Non-Final Rejection, filed July 5, 2005). However, Applicant's specification discloses the customer's request being placed in queue when a particular agent is not available, causing the customer to **wait**. In Goss, the customer has the option of placing a call-back request when an agent is not immediately available. In both cases, the customer must **wait** for the appropriate, available agent to handle the request. Once the agent becomes available, the request is **extended** (given or offered to) to the particular agent to handle. Goss undoubtedly discloses this feature (column 2, lines 42-47, column 6, lines 5-20, 45-47, 56-65).

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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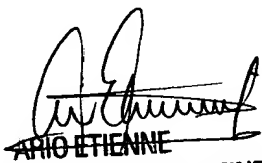
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara N. Burgess whose telephone number is (571) 272-3996. The examiner can normally be reached on M-F (8:00am-4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Barbara N Burgess
Examiner
Art Unit 2157

September 12, 2005


ARIO ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100